

REMARKS

Claims 1-3, 5-8 remain in the case. Claim 4 has been canceled.

The specification has been amended to address the objections raised by the examiner.

The rejection of claim 1 under 35 U.S.C. 102(e) as being anticipated by Schondorf et al. (U.S. Pat. No. 6,640,174) is respectfully traversed.

Claim 1 has been amended to incorporate the limitations of claim 4.

Amended claim 1 recites an automotive vehicle having an occupant restraint system, an internal combustion engine and a fuel deliver system. The fuel delivery system includes a fuel tank having an opening and an electric fuel pump disposed therein for supplying fuel to the internal combustion engine. A flange assembly closes the opening. A fuel control module is mounted in the flange assembly and is electrically connected to the electrical fuel pump for regulating the operation and for ceasing operation of the electrical fuel pump when the occupant restraint system senses a vehicle impact and provides a signal indicative of the vehicle impact to the fuel control module.

Schondorf fails to show the fuel pump control module mounted in the flange assembly. The fuel pump control module mounted in the flange assembly, of the present invention, reduces complexity by eliminating components such as attaching fasteners that would be required if the fuel pump control module were mounted at a location remote from the fuel tank. Furthermore, the fuel pump control module being mounted in the flange assembly allows the electrical connections to the fuel pump and sensing devices within the fuel tank to be directly input to the fuel tank from a compartment housing the fuel pump control module. As a result, any exterior wiring that would be extending from fuel pump control module, if it were remotely located from the flange assembly, is eliminated along with the possibilities damage to the respective external wiring. Thus the reliability of the fuel shutoff function is increased. Since Schondorf does recite or show a

(10/731,292)

fuel pump control module mounted in the flange assembly, claim 1 is therefore allowable.

With regard to Fischerkeller U.S. Pat. No. 6,436,287 (which was combined with Schondorf as the basis for the 35 U.S.C. 103(a) rejection for claim 4), Fischerkeller also fails to show or suggest the fuel pump control module mounted in the flange assembly. The office action references element (90) of Fischerkeller to show a fuel pump control module mounted in the flange assembly (col. 4 lines 5-15). Element 90 is an electrical connector for providing electrical power to the fuel pump and the fuels level sensor. The electrical connector also provides for communication between the engine control unit and the fuel pump; however, there is neither a showing nor a suggestion that element 90 is a fuel pump control module. The electrical connector described and shown in Fischerkeller is no more than an transmission wire or bus for transmitting power and a communication signal through a flange and into the fuel tank. Since neither Schondorf nor Fischerkeller show or suggest a fuel pump control module mounted in a flange assembly, claim 1 is therefore allowable.

The rejection of claims 2 and 3 under 35 U.S.C. 103 as being unpatentable over Schondorf in view of Rodgers et al. (U.S. 5,752,490) is respectfully traversed.

Claims 2 and 3 depend from amended claim 1 and are therefore allowable.

The rejection of claims 5-7 under 35 U.S.C. 103 as being unpatentable over Schondorf in view Rodgers and Fischerkeller is respectfully traversed.

For the same reasons cited for the allowability of claim 1, claim 5 is therefore allowable.

Claims 6-7 depend from claim 5 and are therefore allowable.

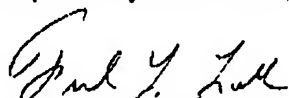
The rejection of claim 8 under 35 U.S.C. 103 as being unpatentable over Schondorf in view Rodgers and Fischerkeller and in further view of Graham (U.S. 6,302,144) is respectfully traversed.

Claim 8 depends from claim 5 and is therefore allowable.

(10/731,292)

In view of the foregoing amendment and remarks, all pending claims are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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(10/731,292)

8